

IN THE COURT OF APPEALS FOR THE  
SECOND DISTRICT OF TEXAS

**EX PARTE**

§  
§  
§  
§  
§

FILED IN  
2nd COURT OF APPEALS  
FORT WORTH, TEXAS  
6/27/2019 11:21:20 AM  
**NO. 02-19-00064-CR**  
DEBRA SPISAK  
Clerk

**SULIA LAWRENCE BROWN**

STATE'S FIRST UNOPPOSED MOTION FOR EXTENSION OF TIME FOR  
FILING OF STATE'S BRIEF

TO THE HONORABLE COURT OF APPEALS:

Pursuant to TEX. R. APP. P. 10.5(b), the State requests that the Court extend the time for filing the State's brief by thirty days, thus creating a new due date of July 29, 2019. The following allegations are made in support of this motion:

- I -

The court below is the Criminal District Court No. 1 of Tarrant County, Texas. The style and number of the case in the trial court was *Ex parte Sulia Brown*, Cause Number 1503867D.

- II -

On January 30, 2019, the trial court denied the pre-trial application for writ of habeas corpus of SULIA LAWRENCE BROWN ("Appellant").

Appellant is currently incarcerated.

- III -

The *Brief of Appellant* was filed on June 7, 2019 after granted two extensions (67 days).

- IV -

The State's brief is currently due June 27, 2019. This is the State's first request for extension.

- V -

In the twenty days since Appellant filed his brief, counsel for the State has

- Filed the State's Responses to seven article 11.07 applications for writ of habeas corpus in various Tarrant County criminal district courts; and
- Filed the State's Proposed Findings of Fact and Conclusions of Law in eight article 11.07 proceedings in various Tarrant County criminal district courts.
- Represented the State at an evidentiary hearing in the article 11.07 habeas proceeding of *Ex parte Kirk*, No. C-297-W011409-126630-A, in the 297<sup>th</sup> District Court of Tarrant County, Texas, on June 25, 2019;

In addition, counsel is actively involved in other pending matters that conflict or potentially conflict with the current briefing deadline, including:

- Preparing for two separate nunc pro tunc hearings scheduled for June 27, 2019, in the 432<sup>nd</sup> District Court of Tarrant County, Texas, and the County Criminal Court No. 9 of Tarrant County, Texas.

- Researching and writing the State’s Brief in *Austin v. State*, No. 02-19-00484-CR, originally due in this Court on June 24, 2019 (now extended to July 24, 2019); and
- Researching and writing the State’s Brief in *Dove v. State*, No. 02-19-00011-CR, due in this Court on July 1, 2019 after one extension.

As a result, counsel has been unable to finish briefing the State’s response to Appellant’s issues before the deadline.

- VI -

Counsel for Appellant has no objection to this request for extension. No submission date has been set.

- VII -

This extension is not requested for purposes of delay but in order to fully review the record, research the issues, and respond to the *Brief of Appellant*. Granting the State’s motion should not significantly delay submission of the case.

- VIII -

Therefore, the State prays that this Court grant this First Motion for Extension of Time for Filing the State's Brief and extend the time for filing of the State's Brief to **July 29, 2019**.

Respectfully submitted,

SHAREN WILSON  
Criminal District Attorney  
Tarrant County, Texas

JOSEPH SPENCE  
Assistant Criminal District Attorney  
Chief, Post-Conviction

/s/ Andréa Jacobs  
ANDRÉA JACOBS  
Assistant Criminal District Attorney  
401 W. Belknap Street  
Fort Worth, Texas 76196-0201  
(817) 884-1687  
FAX (817) 884-1672  
State Bar No. 24037596  
COAappellatealerts@tarrantcountytexas.gov

CERTIFICATE OF CONFERENCE

Mr. Wes Ball, counsel for appellant, has indicated that he does not oppose this first request for extension.

/s/ Andréa Jacobs  
ANDRÉA JACOBS

CERTIFICATE OF SERVICE

A copy of this motion has been e-served to Appellant, by and through his attorney of record, Mr. Wes Ball, at WBnotices@ballhase.com on June 27, 2019.

/s/ Andréa Jacobs  
\_\_\_\_\_  
ANDRÉA JACOBS